

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

KARRIEM BARROW,

Defendant.

10-CR-586 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

Defendant, currently incarcerated in the Metropolitan Detention Center in Brooklyn, New York, brings a Motion under Rule 33 for a New Trial. Based on the Oral Argument held on October 20, 2020, the Court is converting Defendant's Rule 33 Motion to a Motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence pursuant to a Joint Letter filed by the Parties. (*See* Dkt. No. 253.)

In light of the oral ruling for the reasons set forth on the record during the October 20, 2020 hearing, which found Defendant's trial counsel ineffective, the Court grants Defendant's 28 U.S.C. § 2255 Motion and corrects his sentence from 20 years on Counts 1 and 2 and life for Counts 3-18 to 25 years for Counts 1-18 to run concurrently.¹ The additional aspects of Defendant's sentence such as supervised release, special assessment, and restitution remain the same. The Clerk of the Court is respectfully directed to terminate the pending Motions, (Dkt. Nos. 214, 235).

SO ORDERED.

¹ The Parties agreed at Oral Argument that the Government's plea offer was a 25-year statutory maximum. As such, because this Court has deemed trial counsel ineffective, the Court corrects his sentence and imposes the sentence to which the Defendant would have pled to.

Dated: December 8, 2020
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', written over a horizontal line.

KENNETH M. KARAS
United States District Judge